

### REMARKS

Claims 37-62 were pending in this application. Claims 1-21, 35 and 36 were previously cancelled. Claims 22-34 were previously withdrawn. Claims 39-62 were previously added.

Claims 37 is currently amended in order to clarify that the outcome data is relayed to the gaming site through a gaming server connected to said gaming site. Support for the amendment may be found throughout the specification in general and at least on page 8, lines 7-9.

Claim 62 is currently amended in order to clarify that data is being transmitted from a remote computer. Support for the amendment may be found throughout the specification in general and at least on page 13, lines 3-5.

### Claim Rejections Over Roseman - 35 U.S.C. § 102

Claims 37 and 38 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,012,984 to Roseman ("Roseman"). The Office Action alleges that Roseman discloses the invention. In particular, as the Applicant understands it, the Examiner urges that the Roseman gaming server may be interpreted as a "gaming machine." (Office Action, page 3, lines 3-5.) Even assuming the Examiner is correct, the Applicant respectfully traverses the rejection on the basis that significant claim features and limitations are still missing from Roseman.

Claim 37, for example, can be distinguished from Roseman by the fact that it uses a **gaming machine** to generate random game outcomes that are subsequently relayed to a **gaming site**. The claim presently states "...said outcome data being generated by the **gaming machine** at said gaming establishment and relayed to said **gaming site**." The outcomes are then received by remote terminals that have accessed the gaming site. Thus, Claim 37 requires a **gaming machine** that is a separate element from the **gaming site**.

Roseman, in contrast, does not use a gaming machine to generate the random outcomes. Instead, Roseman uses a gaming server that provides web pages to a plurality of

clients terminals (see, e.g., col. 5, lines 12-23). In this regard, the Roseman gaming server essentially functions as a gaming site. Therefore, to the extent the Roseman gaming server may be considered a “gaming machine,” as urged by the Examiner, the Roseman “gaming machine” and the Roseman gaming site are one and the same. Consequently, Roseman is missing a fundamental limitation included in independent Claim 37, i.e., a **gaming machine** that is a separate element from the **gaming site**.

Claim 38 can also be distinguished from Roseman by its use of a gaming machine that is separate from a gaming site. In addition, Claim 38 states “...generating outcome data at a **gaming machine** communicatively coupled to said **gaming server**...” Thus, the **gaming server** in Claim 38 is also a separate element from the **gaming machine**. To the extent the Roseman gaming server may be considered a “gaming machine,” as urged by the Examiner, the gaming server and the “gaming machine” would not be separate elements.

Accordingly, for at least the reasons stated above, withdrawal of the rejection against Claims 37 and 38 over Roseman is respectfully requested.

#### **Claim Rejections Over Wiltshire In View Of Walker - 35 U.S.C. § 103(a)**

Claims 37-62 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,001,016 to Walker (“Walker”) in view of U.S. Patent No. 6,409,602 to Wiltshire (“Wiltshire”). The Examiner alleges that Walker discloses the claimed invention except that:

Walker does not expressly disclose the communication link between the remote terminal and a gaming site on a global computer network (Internet) and receiving text or graphical outcome data at the remote terminal for the selected game as recited in claims 37-39, 52, and 62; the game outcome results from the server initiating game play on the selected gaming machine as recited in claim 50; the outcome results from the manual game play on the selected gaming machine as recited in claim 51; receiving information includes receiving information selecting at least two plurality of local gaming machines for remote play as recited in claim 54. Office Action, page 4, lines 13-19.

The Examiner contends, however, that Wiltshire teaches these aspects of the claimed invention, and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Walker with the teachings of Wiltshire in order to allow players to participate in different casino types games from a secure and tamperproof computer gaming system. Even assuming that there is motivation to combine Walker and Wiltshire, the Applicant

respectfully traverses the rejection on the basis that significant claim features and limitations are missing from the proposed combination.

For example, all of the independent claims (Claims 37-39, 52, and 62) recite a **gaming site** that is connected to or otherwise in communication with a **gaming server** (or the use of these elements). That is, the claims require a **gaming site** that is separate from the **gaming server**. The relevant portions of the claims are reproduced below for the Examiner's convenience. Note that Claim 62 is written in means-plus-function form and must be construed to cover the corresponding structures disclosed in the specification, including the **gaming site** and the **gaming server**. 35 U.S.C. § 112, ¶ 6.

Claim 37: "...receiving randomly-generated text or graphical outcome data at said remote terminal for said selected game, said outcome data being generated by the gaming machine at said gaming establishment and relayed to said **gaming site** through a **gaming server** connected to said gaming site."

Claim 38: "...transmitting said outcome data from said **gaming server** to said **gaming site** for display to said player on said remote terminal in text or graphical form."

Claim 39: "...said **gaming site** in communication with a **gaming server** for collecting outcome data from gaming machines located inside the gaming establishment..."

Claim 52 (preamble): "...said remote computer connected to a **gaming site** through a global computing network served by said **gaming server**..."

Claim 62: "...**means for receiving a text or graphical outcome** resulting from a play of said selected local gaming machines..."

In contrast, neither Walker nor Wiltshire discloses a **gaming site** that is separate from a **gaming server** (or the use of these elements). Walker merely discloses a server that is connected to multiple slot machines over a local area network (see, e.g., col. 3, lines 60-63; col. 4, lines 2-5; and Figure 1). Likewise, Wiltshire merely discloses a server that is connected to a plurality of remote clients machine via a network interface and communication pathways (see, e.g., col. 3, lines 61-66; and Figure 1D). Nowhere does Walker or Wiltshire (or any other art of

record), taken alone or in combination, disclose both a **gaming site** and a **gaming server** as elements, as recited in the independent claims.

Furthermore, all the independent claims expressly state that the remote terminal or remote computer is located **outside the gaming establishment**. In contrast, Walker appears to teach that the remote wagering terminal is located right there on the premises of the gaming establishment. For example, Walker teaches that “each” remote wagering terminal has a hopper for dispensing coins (see, e.g., col. 7, lines 54-56). Such a hopper would be need to be maintained and refilled from time to time with an appropriate amount of coins. It would be extremely difficult to effect such maintenance unless the remote wagering terminal was located right there on the premises. This positions is further supported by the statement in Walker that the player will be provided with a “map of all slots machines” (see, e.g., col. 9, lines 36-38. Such a map would only be useful if the player (hence, the remote wagering terminal) was right there on the premises.

As for Claims 40-51 and 53-61, although they recite independently allowable subject matter, these claims depend from independent Claims 37-39, 52, and 62, and are therefore allowable for at least the reasons stated above.

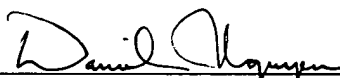
Accordingly, withdrawal of the rejection against Claims 37-62 over Walker in view of Wiltshire is respectfully requested.

**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated:

Respectfully submitted,

By 

Daniel G. Nguyen

Registration No.: 42,933

JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION

225 W. Washington, Ste. 2600

Chicago, Illinois 60606-3418

(312) 425-3900

(312) 425-3909 (Fax)